APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/664,147	09/18/2000	Nathan F. Raciborski	193696-000500US	6650

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EXAMINER
PARTON, KEVIN S

ART UNIT	PAPER NUMBER
2153	

DATE MAILED: 05/07/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____ .

2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-20_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-20_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☒ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _18 September 2000_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _2-4,6,7_ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: .

DETAILED ACTION

Specification

1.   Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2.   The abstract of the disclosure is objected to because the phrase "The invention relates to" is unnecessary. Correction is required. See MPEP § 608.01(b).

3.   The disclosure is objected to because of the following informalities: The cross-referenced applications should be referred to by their US application numbers.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5.   Claims 1-4, 6-8, 10, 14, 15, 17, and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Kangasharju et al. (1999).

6.   Regarding claim 1, Kangasharju et al. teach a system for reporting status information from a plurality of content exchanges to a remote system, the system comprising:

a. A first content exchange comprising a first plurality of content object portions (abstract, lines 1-3; column 2, paragraph 3). Note that in the reference, cache servers are content exchanges.

b. A second content exchange comprising a second plurality of content object portions (abstract, lines 1-3; page 2, column 2, paragraph 3). Note that in the reference, cache servers are content exchanges.

c. A server at the remote location, wherein the server comprises a first subset of the first plurality of content object portions and a second subset of the second plurality of content object portions (page 2, column 2, paragraph 3).

d. A first datalink that transports a first catalog of the first subset between the first content exchange and the server (page 5, column 2, paragraph 4; page 6, column 1, paragraph 1).

e. A second datalink that transports a second catalog of the second subset between the second content exchange and the server (page 5, column 2, paragraph 4; page 6, column 1, paragraph 1).

7.   Regarding claim 2, Kangasharju et al. (1999) teach all the limitations as applied to claim 1. they further teach means wherein the first and second catalogs comprise a plurality of entries (page 6, column 1, paragraph 2). Note that content updates can be sent in batches.

8.   Regarding claim 3, Kangasharju et al. (1999) teach all the limitations as applied to claim 2. They further teach means wherein at least one of the plurality of entries comprises a content object filename, a path, and a server name (page 6, column 1, paragraph 2). Note that web page

information is stored, this necessarily includes a server name, path, and filename for each object cached.

9.   Regarding claim 4, Kangasharju et al. (1999) teach all the limitations as applied to claim 1. They further teach means wherein at least one of the first and second datalinks transport over the Internet (page 6, column 1, paragraph 2).

10.   Regarding claim 6, Kangasharju et al. (1999) teach all the limitations as applied to claim 1. They further teach means wherein the first datalink transports status information relating to the first content exchange (abstract; page 2, column 1, paragraph 3).

11.   Regarding claim 7, Kangasharju et al. (1999) teach all the limitations as applied to claim 1. They further teach means wherein at least one of the first and second content exchanges checks an operational status of the server (page 2, column 1, paragraph 1).

12.   Regarding claim 8, Kangasharju et al. (1999) teach a system for reporting information to remote locations in a content distribution system with means for:

    a. Determining a first catalog of a first plurality of content object portions associated with a first server at a first remote location (page 5, column 2, paragraph 4; page 6, column 1, paragraph 2).

    b. Determining a second catalog of a second plurality of content object portions associated with a second server at a second remote location (page 5, column 2, paragraph 4; page 6, column 1, paragraph 2).

    c. Transporting the first catalog to the first remote location (page 5, column 2, paragraph 4; page 6, column 1, paragraph 2).

    d. Transporting the second catalog to the second remote location (page 5, column 2, paragraph 4; page 6, column 1, paragraph 2).

    e. Detecting changes to one of the first and second catalogs (page 6, column 1, paragraph 2).

    f. Transporting the changes to one of the first and second remote locations (page 6, column 1, paragraph 2).

13. Regarding claim 10, Kangasharju et al. (1999) teach all the limitations as applied to claim 8. They further teach means for reporting t the first and second servers status information at a predetermined interval (page 5, column 2, paragraph 4; page 6, column 1, paragraph 2). Note that the batch sending allows a cache to set an interval after which data will be sent.

14. Regarding claim 14, Kangasharju et al. (1999) teach all the limitations as applied to claim 8. They further teach means wherein the transporting comprises transporting via the Internet (page 6, column 1, paragraph 2).

15. Regarding claim 15, Kangasharju et al. (1999) teach a system for tracking information in a content distribution system with means for:

    a. Receiving a first content catalog of first content object portions from a first remote computer (page 5, column 2, paragraph 4; page 6, column 1, paragraph 2).

    b. Receiving a second content catalog of second content object portions from 6 a second remote computer (page 5, column 2, paragraph 4; page 6, column 1, paragraph 2).

     c. Updating a content database with information from the first and second 8

content catalogs (page 5, column 2, paragraph 4; page 6, column 1, paragraph

2).

     d. Receiving a third content catalog from the first remote computer that is 10

different from the first content catalog (page 5, column 2, paragraph 4; page 6,

column 1, paragraph 2).

     e. Receiving a fourth content catalog from the second remote computer that is 12

different from the second content catalog (page 5, column 2, paragraph 4;

page 6, column 1, paragraph 2).

     f. Updating the content database with information from the third and fourth 14

content catalogs (page 5, column 2, paragraph 4; page 6, column 1, paragraph

2). Note that the nature of updating requires that when a new catalog comes

in, it replaces the information that has changed from the previous catalog.

16.   Regarding claim 17, Kangasharju et al. (1999) teach all the limitations as applied to claim

15. They further teach means for receiving status information related to one of the first and

second remote computers (page 5, column 2, paragraph 4; page 6, column 1, paragraph 2).

17.   Regarding claim 18, Kangasharju et al. (1999) teach all the limitations as applied to claim

15. They further teach means for providing status information to the first and second computers

(page 5, column 2, paragraph 4; page 6, column 1, paragraph 2).

Claim Rejections - 35 USC § 103

18.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

19.   Claims 5, 9, 11, 13, 16, 19, and 20 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Kangasharju et al. (1999) in view of Chase et al. (EP 0 877 326 A2).

20.   Regarding claim 5, although the system disclosed by Kangasharju et al. (1999) (as

applied to claim 1) shows substantial features of the claimed invention, it fails to disclose means

wherein the first subset of the first plurality of content object portions is purged from the first

content exchange when the server becomes unavailable.

Nonetheless, these features are well known in the art and would have been an obvious

modification of the system disclosed by Kangasharju et al. (1999), as evidenced by Chase et al.

(EP 0 877 326 A2).

In an analogous art, Chase et al. (EP 0 877 326 A2) disclose a system for distributed

caching of web accessible data wherein the first subset of the first plurality of content object

portions is purged from the first content exchange when the server becomes unavailable (figure

4, element 400).

Given the teaching of Chase et al. (EP 0 877 326 A2), a person having ordinary skill in

the art would have readily recognized the desirability and advantages of modifying Kangasharju

et al. (1999) by employing the purging of cache information when the origin server is no longer

available. This benefits the system by causing users to realize the origin server is no longer in

operation and that they are no longer able to view the information that was cached. Note that

this would be a consequence of sending updates to the origin server of what was being saved.

21.   Regarding claim 9, Kangasharju et al. (1999) teach all the limitations as applied to claim

8. They further teach means for determining the first server is unavailable (page 5, column 2,

paragraph 4; page 6, column 1, paragraph 2). Note that in the reference, the client would know

the status of the server upon request.

Although the system disclosed by Kangasharju et al. (1999) shows substantial features of

the claimed invention, it fails to disclose means for purging the first plurality of content object

portions in response to the determining the first server is unavailable.

Nonetheless, these features are well known in the art and would have been an obvious

modification of the system disclosed by Kangasharju et al. (1999), as evidenced by Chase et al.

(EP 0 877 326 A2).

In an analogous art, Chase et al. (EP 0 877 326 A2) disclose a system for distributed

caching of web accessible data with means for purging the first plurality of content object

portions in response to the determining the first server is unavailable (figure 4, element 400).

Given the teaching of Chase et al. (EP 0 877 326 A2), a person having ordinary skill in

the art would have readily recognized the desirability and advantages of modifying Kangasharju

et al. (1999) by employing the purging of cache information when the origin server is no longer

available. This benefits the system by causing users to realize the origin server is no longer in

operation and that they are no longer able to view the information that was cached. Note that

this would be a consequence of sending updates to the origin server of what was being saved.

22.   Regarding claim 11, although the system disclosed by Kangasharju et al. (1999) (as

applied to claim 8) shows substantial features of the claimed invention, it fails to disclose means

for reporting to the first and second servers an impending unavailability of a content exchange.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Kangasharju et al. (1999), as evidenced by Chase et al. (EP 0 877 326 A2).

In an analogous art, Chase et al. (EP 0 877 326 A2) disclose a system for distributed caching of web accessible data with means for reporting to the first and second servers an impending unavailability of a content exchange (figure 4, element 400).

Given the teaching of Chase et al. (EP 0 877 326 A2), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Kangasharju et al. (1999) by employing the notification of a soon to be unavailable machine. This benefits the system by allowing the server to avoid holding information on caches that may be corrupted or emptied when they became unavailable.

23. Regarding claim 13, although the system disclosed by Kangasharju et al. (1999) (as applied to claim 8) shows substantial features of the claimed invention, it fails to disclose means for purging information from a content location database when a content exchange becomes unavailable.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Kangasharju et al. (1999), as evidenced by Chase et al. (EP 0 877 326 A2).

In an analogous art, Chase et al. (EP 0 877 326 A2) disclose a system for distributed caching of web accessible data with means for purging information from a content location database when a content exchange becomes unavailable (figure 4, element 400).

Given the teaching of Chase et al. (EP 0 877 326 A2), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Kangasharju et al. (1999) by employing the purging of information relating to an unavailable host or intermediate cache. This benefits the system by allowing the server to avoid holding information on caches that may have been corrupted or emptied when they became unavailable.

24.   Regarding claim 16, although the system disclosed by Kangasharju et al. (1999) (as applied to claim 15) shows substantial features of the claimed invention, it fails to disclose means for updating the content database when one of the first and second remote computers is unavailable.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Kangasharju et al. (1999), as evidenced by Chase et al. (EP 0 877 326 A2).

In an analogous art, Chase et al. (EP 0 877 326 A2) disclose a system for distributed caching of web accessible data with means for updating the content database when one of the first and second remote computers is unavailable (figure 4, element 400).

Given the teaching of Chase et al. (EP 0 877 326 A2), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Kangasharju et al. (1999) by employing the updating of information relating to an unavailable host or intermediate cache. This benefits the system by allowing the server to avoid holding information on caches that may have been corrupted or emptied when they became unavailable.

25.   Regarding claim 19, although the system disclosed by Kangasharju et al. (1999) (as applied to claim 15) shows substantial features of the claimed invention, it fails to disclose means for notifying the first and second computers of impending unavailability.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Kangasharju et al. (1999), as evidenced by Chase et al. (EP 0 877 326 A2).

In an analogous art, Chase et al. (EP 0 877 326 A2) disclose a system for distributed caching of web accessible data with means for notifying the first and second computers of impending unavailability (figure 4, element 400).

Given the teaching of Chase et al. (EP 0 877 326 A2), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Kangasharju et al. (1999) by informing intermediate caches of an unavailable server. This benefits the system by allowing the computers to no longer hold cached information from an unavailable server that may be in update or not coming back online.

26.   Regarding claim 20, although the system disclosed by Kangasharju et al. (1999) (as applied to claim 15) shows substantial features of the claimed invention, it fails to disclose means for receiving notification from one of the first and second computers of impending unavailability.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Kangasharju et al. (1999), as evidenced by Chase et al. (EP 0 877 326 A2).

In an analogous art, Chase et al. (EP 0 877 326 A2) disclose a system for distributed caching of web accessible data with means for receiving notification from one of the first and second computers of impending unavailability (figure 4, element 400).

Given the teaching of Chase et al. (EP 0 877 326 A2), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Kangasharju et al. (1999) by informing the server of unavailable intermediate caches. This benefits the system by allowing the server to avoid holding information on caches that may have been corrupted or emptied when they became unavailable.

27.   Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kangasharju et al. (1999) in view of Tsirigotis et al. (EP 0 847 020 A2).

28.   Regarding claim 12, although the system disclosed by Kangasharju et al. (1999) (as applied to claim 8) shows substantial features of the claimed invention, it fails to disclose means for:

a. Receiving a preload command.

b. Preloading at least one content object portion from a remote server in response to receiving the preload command.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Kangasharju et al. (1999), as evidenced by Tsirigotis et al. (EP 0 847 020 A2).

In an analogous art, Tsirigotis et al. (EP 0 847 020 A2) discloses a system for distributed caching with means for:

a. Receiving a preload command (column 2, lines 30-32).

b. Preloading at least one content object portion from a remote server in response

to receiving the preload command (column 2, lines 21-36).

Given the teaching of Tsirigotis et al. (EP 0 847 020 A2), a person having ordinary skill

in the art would have readily recognized the desirability and advantages of modifying

Kangasharju et al. (1999) by employing the preloading of content. This benefits the system by

allowing users to have faster access to information that they are most likely to request.
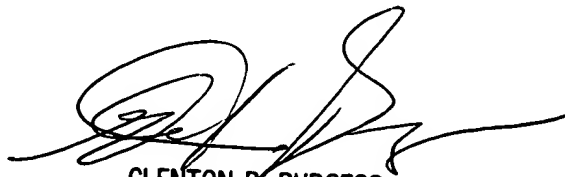
Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Kevin Parton whose telephone number is (703)306-0543. The

examiner can normally be reached on M-F 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Glenton Burgess can be reached on (703)305-4792. The fax phone numbers for the

organization where this application or proceeding is assigned are (703)746-9242 for regular

communications and (703)746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703)305-3900.

Kevin Parton
Examiner
Art Unit 2153

ksp
April 29, 2003

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